

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

LAURA GENS,
Debtor-Appellant,
v.
WELLS FARGO BANK, N.A.,
Appellee.

Case No. 17-cv-01001-BLF

**ORDER DISCHARGING ORDER TO
SHOW CAUSE; VACATING SHOW
CAUSE HEARING; AND GRANTING
DEBTOR-APPELLANT'S REQUEST
FOR VOLUNTARY DISMISSAL.**

On August 9, 2017, the Court issued an Order to Show Cause stating that Debtor-Appellant Laura Gens' opening brief was overdue and directing Gens to show cause, in writing and on or before August 30, 2017, why her appeal should not be dismissed for failure to prosecute. Order to Show Cause, ECF 38. The Court also set a Show Cause Hearing for August 31, 2017 at 9:00 a.m. *Id.*

On August 28, 2017, Gens filed a response to the Order to Show Cause, stating that there is no point in pursuing the bankruptcy appeal now that her home has been sold, because the purpose of the appeal was to save her home. Gens' Response, ECF 39. Gens requests that the Court dismiss her appeal and vacate the Show Cause Hearing. *Id.*

Gens' request is GRANTED. The Order to Show Cause is DISCHARGED; the Show Cause Hearing set for August 31, 2017 is VACATED; and Gens' request for a voluntary dismissal of her appeal is GRANTED. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: August 29, 2017

Beth Labson Freeman
BETH LABSON FREEMAN
United States District Judge